



General Assembly

Amendment

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Offered by:

REP. FOX, 146th Dist.

REP. O'NEILL, 69th Dist.

To: Subst. House Bill No. 5146

File No. 54

Cal. No. 42

**"AN ACT CONCERNING VISITATION OF CHILDREN COMMITTED
TO THE DEPARTMENT OF CHILDREN AND FAMILIES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsections (b) to (i), inclusive, of section 17b-179 of the
4 general statutes are repealed and the following is substituted in lieu
5 thereof (*Effective October 1, 2010*):

6 (b) (1) The Commissioner of Social Services shall [, in the manner
7 provided in section 17b-81,] investigate the financial condition of the
8 parent or parents of: (A) Any child applying for or receiving assistance
9 under [the provisions of sections 17b-807 and 17b-808 and] (i) the
10 temporary family assistance [for needy families] program pursuant to
11 section 17b-112, which may be referred to as ["TANF"] TFA for the
12 purposes of this section or (ii) the Medicaid program pursuant to
13 section 17b-261, (B) any child seeking IV-D child support enforcement
14 services pursuant to subdivision (1) of subsection (h) of this section,

15 and (C) any child committed to the care of the Commissioner of
16 Children and Families who is receiving payments in the foster care
17 program and for whom a referral to the Bureau of Child Support
18 Enforcement is made under section 46b-130, as amended by this act,
19 and shall determine the financial liability of such parent or parents for
20 [the] such child.

21 (2) The Bureau of Child Support Enforcement may, upon notice to
22 the obligor and obligee, redirect payments for the support of all such
23 children to either the state of Connecticut or the present custodial
24 party, as their interests may appear, provided neither the obligor nor
25 the obligee objects in writing within ten business days from the
26 mailing date of such notice. Any such notice shall be sent by first class
27 mail to the most recent address of such obligor and obligee, as
28 recorded in the state case registry pursuant to section 46b-218, and a
29 copy of such notice shall be filed with the court or family support
30 magistrate if both the obligor and obligee fail to object to the redirected
31 payments within ten business days from the mailing date of such
32 notice. All payments shall be distributed as required by Title IV-D of
33 the Social Security Act.

34 (3) Notwithstanding subdivision (2) of this subsection or
35 subparagraph (F) of subdivision (1) of subsection (u) of section 46b-
36 231, the Bureau of Child Support Enforcement or a support
37 enforcement agency under cooperative agreement with the Bureau of
38 Child Support Enforcement shall redirect payments for the support of
39 children described in subparagraphs (A)(i) and (C) of subdivision (1)
40 of this subsection to the state of Connecticut effective on the date of the
41 assistance grant. Upon such redirection, the Bureau of Child Support
42 Enforcement or support enforcement agency shall notify the obligor
43 and obligee as described in subdivision (2) of this subsection if
44 assistance is being received by a new custodial party on behalf of such
45 children and, if an objection to redirection is received in accordance
46 with said subdivision (2), shall refund to the obligee of the support
47 order any money retained by the state during the period of redirection
48 that is due such obligee.

49 (c) The [Connecticut] Bureau of Child Support Enforcement
50 [Bureau] shall enter into cooperative agreements with appropriate
51 officials of the Judicial [Department] Branch and law enforcement
52 officials to assist in administering the child support enforcement plan
53 and with respect to other matters of common concern in the area of
54 child support enforcement. Officers of the Judicial [Department]
55 Branch and law enforcement officials authorized and required to enter
56 into cooperative agreements with the [Connecticut] Bureau of Child
57 Support Enforcement [Bureau] include, but are not limited to, [the]
58 officials of the Superior Court and the office of the Attorney General.
59 Such cooperative agreements shall contain performance standards to
60 address the mandatory provisions of both state and federal laws and
61 federal regulations concerning child support.

62 (d) The [Connecticut] Bureau of Child Support Enforcement
63 [Bureau] shall have authority to determine on a periodic basis whether
64 any individuals who owe child support obligations are receiving
65 unemployment compensation. In IV-D cases, the bureau may
66 authorize the collection of any such obligations owed by an individual
67 receiving unemployment compensation through an agreement with
68 the individual or a court order pursuant to section 52-362, as amended
69 by this act, under which a portion of the individual's unemployment
70 compensation is withheld and forwarded to the state [agency] acting
71 by and through the IV-D agency. As used in this section, the term
72 "unemployment compensation" means any compensation payable
73 under chapter 567, including amounts payable by the administrator of
74 the unemployment compensation law pursuant to an agreement under
75 any federal law providing for compensation, assistance or allowances
76 with respect to unemployment.

77 (e) The Bureau of Child Support Enforcement [Bureau] shall enter
78 into purchase of service agreements with other state officials,
79 departments and agencies which do not have judicial or law
80 enforcement authority, including but not limited to, the Commissioner
81 of Administrative Services, to assist in administering the child support
82 enforcement plan. The Bureau of Child Support Enforcement [Bureau]

83 shall have authority to enter into such agreements with the Labor
84 Commissioner and to withhold unemployment compensation
85 pursuant to subsection (d) of this section and section 31-227.

86 (f) The [Connecticut] Bureau of Child Support Enforcement
87 [Bureau] shall have the sole responsibility to make referrals to the
88 federal Parent Locator Service established pursuant to 88 Stat. 2353
89 (1975), 42 USC 653, as amended, for the purpose of locating deserting
90 parents.

91 (g) The [Connecticut] Bureau of Child Support Enforcement
92 [Bureau] shall have the sole responsibility to make recommendations
93 to the Governor and the General Assembly for needed program
94 legislation to ensure implementation of Title IV-D of the Social Security
95 Act, as amended.

96 (h) (1) The [Connecticut] Bureau of Child Support Enforcement
97 [Bureau] shall provide, or arrange to provide through one or more of
98 the state offices, departments and agencies the same services for
99 obtaining and enforcing child support orders in cases in which
100 children are not beneficiaries of [TANF] TFA, Medicaid or foster care
101 as in cases where children are the beneficiaries of such aid. Such
102 services shall also be made available to residents of other states on the
103 same terms as to residents of this state. Support services in [non-TANF
104 support] cases other than TFA, Medicaid or foster care will be
105 provided upon application to the [Connecticut] Bureau of Child
106 Support Enforcement by the person seeking to enforce a child support
107 obligation and the payment of an application fee, pursuant to the
108 provisions of subsection (i) of this section.

109 (2) In addition to the application fee, the [Connecticut] Bureau of
110 Child Support Enforcement [Bureau] may assess costs incurred for the
111 establishment, enforcement or modification of a support order in [non-
112 TANF] cases other than TFA, Medicaid or foster care. Such assessment
113 shall be based on a fee schedule adopted by the Department of Social
114 Services pursuant to chapter 54. The fee schedule to be charged in

115 [non-TANF support] such cases shall be made available to any
116 individual upon request. The Bureau of Child Support Enforcement
117 [Bureau] shall adopt procedures for the notification of Superior Court
118 judges and family support magistrates when a fee has been assessed
119 an obligee for support services and a Superior Court judge or a family
120 support magistrate shall order the obligor to pay any such assessment
121 to the Bureau of Child Support Enforcement. [Bureau.] In cases where
122 such order is not entered, the obligee shall pay an amount based on a
123 sliding scale not to exceed the obligee's ability to pay. The Department
124 of Social Services shall adopt such sliding scale pursuant to chapter 54.

125 (3) The [Connecticut] Bureau of Child Support Enforcement
126 [Bureau] shall also, in the case of an individual who never received
127 temporary assistance for needy families and for whom the state has
128 collected at least five hundred dollars of support in a one-year period,
129 impose an annual fee of twenty-five dollars for each case in which
130 services are furnished. The annual fee shall be (A) retained by the state
131 from the support collected on behalf of the individual, but not from the
132 first five hundred dollars collected, (B) paid by the individual applying
133 for the services, (C) recovered from the noncustodial parent, or (D)
134 paid by the state.

135 (i) In [non-TANF] child support cases other than TFA, Medicaid or
136 foster care, the state shall impose an application fee in an amount
137 necessary to comply with federal law and regulations under Title IV-D
138 of the Social Security Act, which fee shall be paid by the state. The
139 amount of such fee shall be established by regulations adopted, in
140 accordance with the provisions of chapter 54, by the Commissioner of
141 Social Services and shall not exceed twenty-five dollars or such higher
142 or lower amount as the Secretary of the Department of Health and
143 Human Services may determine to be appropriate for any fiscal year to
144 reflect increases or decreases in administrative costs. The court in
145 which a child support obligation is sought to be enforced may order
146 the obligor to reimburse the state for such application fee. Recipients of
147 [TANF] TFA, foster care or Medicaid assistance whose eligibility for
148 aid is terminated shall be entitled to continuation of child support

149 enforcement services without requiring an application or the payment
150 of an application fee.

151 Sec. 2. Subsection (l) of section 17b-179 of the general statutes is
152 repealed and the following is substituted in lieu thereof (*Effective*
153 *October 1, 2010*):

154 (l) The [Connecticut] Bureau of Child Support Enforcement [Bureau]
155 shall arrange to provide a single centralized automated system for the
156 reporting of collections on all accounts established for the collection of
157 all IV-D support orders. Such reporting shall be made available to the
158 Family Support Magistrate Division and to all state agencies which
159 have a cooperative agreement with the IV-D agency. [On or before
160 October 1, 1998, such] Such automated system shall include a state case
161 registry which complies with federal law and regulations. The state
162 case registry shall contain information on each support order
163 established or modified in this state.

164 Sec. 3. Subparagraphs (A) and (B) of subdivision (5) of subsection (a)
165 of section 17b-745 of the general statutes are repealed and the
166 following is substituted in lieu thereof (*Effective October 1, 2010*):

167 (5) (A) The court or family support magistrate may also make and
168 enforce orders for the payment by any person named herein of past-
169 due support for which any such person is liable in accordance with the
170 provisions of [subsection (b) of section 17b-179, or] section 17a-90,
171 17b-81, subsection (b) of section 17b-179, section 17b-223, 46b-129 or
172 46b-130, [or] as amended by this act, and, in IV-D cases, [and] order
173 such person, provided such person is not incapacitated, to participate
174 in work activities that may include, but shall not be limited to, job
175 search, training, work experience and participation in the job training
176 and retraining program established by the Labor Commissioner
177 pursuant to section 31-3t. [The father's] A parent's liability for past-due
178 support of a child [born out of wedlock] shall be limited to the three
179 years next preceding the filing of a petition pursuant to this section.

180 (B) In the determination of child support due based on neglect or

181 refusal to furnish support prior to the action, the support due for
182 periods of time prior to the action shall be based upon the obligor's
183 ability to pay during such prior periods, as determined in accordance
184 with the child support guidelines established pursuant to section 46b-
185 215a, as amended by this act. The state shall disclose to the court any
186 information in its possession concerning current and past ability to
187 pay. If no information is available to the court concerning past ability
188 to pay, the court may determine the support due for periods of time
189 prior to the action as if past ability to pay is equal to current ability to
190 pay, if current ability to pay is known. If current ability to pay is not
191 known, the court shall determine the past ability to pay based on the
192 obligor's work history if known, or if not known, on the state
193 minimum wage that was in effect during such periods, provided only
194 actual earnings shall be used to determine ability to pay for past
195 periods during which the obligor was a full-time high school student
196 or was incarcerated, institutionalized or incapacitated.

197 Sec. 4. Subdivision (8) of subsection (a) of section 17b-745 of the
198 general statutes is repealed and the following is substituted in lieu
199 thereof (*Effective October 1, 2010*):

200 (8) Failure of any defendant to obey an order of the court or Family
201 Support Magistrate Division made under this section may be punished
202 as contempt of court. If the summons and order is signed by a
203 commissioner of the Superior Court, upon proof of service of the
204 summons to appear in court or before a family support magistrate and
205 upon the failure of the defendant to appear at the time and place
206 named for hearing upon the petition, request may be made by the
207 petitioner to the court or family support magistrate for an order that a
208 capias mittimus be issued. Except as otherwise provided, upon proof
209 of the service of the summons to appear in court or before a family
210 support magistrate at the time and place named for a hearing upon the
211 failure of the defendant to obey the court order as contempt of court,
212 the court or the family support magistrate may order a capias mittimus
213 to be issued and directed to [some] a judicial marshal pursuant to
214 section 43 of this act, or any other proper officer to arrest such

215 defendant and bring such defendant before the Superior Court for the
216 contempt hearing. The costs of commitment of any person imprisoned
217 [therefor] for contempt shall be paid by the state as in criminal cases.
218 When any such defendant is so found in contempt, the court or family
219 support magistrate may award to the petitioner a reasonable attorney's
220 fee and the fees of the officer serving the contempt citation, such sums
221 to be paid by the person found in contempt.

222 Sec. 5. Subsection (b) of section 17b-745 of the general statutes is
223 repealed and the following is substituted in lieu thereof (*Effective*
224 *October 1, 2010*):

225 (b) Except as provided in sections 46b-212 to [46b-213v] 46b-213w,
226 inclusive, as amended by this act, any court or family support
227 magistrate, called upon to enforce a support order, shall insure that
228 such order is reasonable in light of the obligor's ability to pay. Except
229 as provided in sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
230 amended by this act, any support order entered pursuant to this
231 section, or any support order from another jurisdiction subject to
232 enforcement by the state of Connecticut, may be modified by motion of
233 the party seeking such modification, including Support Enforcement
234 Services in [TANF] IV-D support cases as defined in subdivision [(14)]
235 (13) of subsection (b) of section 46b-231, as amended by this act, upon a
236 showing of a substantial change in the circumstances of either party or
237 upon a showing that the final order for child support substantially
238 deviates from the child support guidelines established pursuant to
239 section 46b-215a, as amended by this act, unless there was a specific
240 finding on the record that the application of the guidelines would be
241 inequitable or inappropriate, provided the court or family support
242 magistrate finds that the obligor or the obligee and any other
243 interested party have received actual notice of the pendency of such
244 motion and of the time and place of the hearing on such motion. There
245 shall be a rebuttable presumption that any deviation of less than fifteen
246 per cent from the child support guidelines is not substantial and any
247 deviation of fifteen per cent or more from the guidelines is substantial.
248 Modification may be made of such support order without regard to

249 whether the order was issued before, on or after May 9, 1991. In any
250 hearing to modify any support order from another jurisdiction the
251 court or the family support magistrate shall conduct the proceedings in
252 accordance with [the procedure set forth in] sections 46b-213o to [46b-
253 213q] 46b-213r, inclusive. No such support orders may be subject to
254 retroactive modification, except that the court or family support
255 magistrate may order modification with respect to any period during
256 which there is a pending motion for a modification of an existing
257 support order from the date of service of notice of such pending
258 motion upon the opposing party pursuant to section 52-50.

259 Sec. 6. Subsection (d) of section 19a-42 of the 2010 supplement to the
260 general statutes is repealed and the following is substituted in lieu
261 thereof (*Effective October 1, 2010*):

262 (d) (1) Upon receipt of (A) an acknowledgment of paternity
263 executed in accordance with the provisions of subsection (a) of section
264 46b-172 by both parents of a child born out of wedlock, or (B) a
265 certified copy of an order of a court of competent jurisdiction
266 establishing the paternity of a child born out of wedlock, the
267 commissioner shall include on or amend, as appropriate, such child's
268 birth certificate to show such paternity if paternity is not already
269 shown on such birth certificate and to change the name of the child if
270 so indicated on the acknowledgment of paternity form or within the
271 certified court order as part of the paternity action.

272 (2) If another father is listed on the birth certificate, the
273 commissioner shall not remove or replace the father's information
274 unless presented with a certified court order that meets the
275 requirements specified in section 7-50, or upon the proper filing of a
276 rescission, in accordance with the provisions of section 46b-172, as
277 amended by this act. The commissioner shall thereafter amend such
278 child's birth certificate to remove or change the father's name and to
279 change the name of the child, as requested at the time of the filing of a
280 rescission, in accordance with the provisions of section 46b-172, as
281 amended by this act. Birth certificates amended under this subsection

282 shall not be marked "Amended".

283 [(3) A fee of fifty dollars shall be charged by the department for each
284 amendment to a birth certificate requested pursuant to this subsection
285 which request is not received from a hospital, a state agency or a court
286 of competent jurisdiction.]

287 Sec. 7. Section 19a-42a of the general statutes is repealed and the
288 following is substituted in lieu thereof (*Effective October 1, 2010*):

289 (a) All (1) voluntary acknowledgments of paternity and rescissions
290 of such acknowledgments executed in accordance with subsection (a)
291 of section 46b-172, and (2) adjudications of paternity issued by a court
292 or family support magistrate under section 46b-171, as amended by
293 this act, section 46b-172a or any other provision of the general statutes
294 shall be filed in the paternity registry maintained by the Department of
295 Public Health. All information in such registry shall be made available
296 to the IV-D agency, as defined in subdivision (12) of subsection (b) of
297 section 46b-231, as amended by this act, for comparison with
298 information in the state case registry established under subsection (l) of
299 section 17b-179, as amended by this act. The IV-D agency may disclose
300 information in the paternity registry to an agency under cooperative
301 agreement with the IV-D agency for child support enforcement
302 purposes.

303 (b) Except for the IV-D agency, as provided in subsection (a) of this
304 section, the department shall restrict access to and issuance of certified
305 copies of acknowledgments of paternity to the following parties: (1)
306 Parents named on the acknowledgment of paternity; (2) the person
307 whose birth is acknowledged, if such person is over eighteen years of
308 age; (3) an authorized representative of the Department of Social
309 Services; (4) an attorney representing such person or a parent named
310 on the acknowledgment; or (5) agents of a state or federal agency, as
311 approved by the department.

312 Sec. 8. Subdivision (4) of subsection (b) of section 46b-56c of the
313 general statutes is repealed and the following is substituted in lieu

314 thereof (*Effective October 1, 2010*):

315 (4) On motion or petition of a parent, the court may enter an
316 educational support order at the time of entering an order pursuant to
317 any other provision of the general statutes authorizing the court to
318 make an order of support for a child, subject to the provisions of
319 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this
320 act.

321 Sec. 9. Section 46b-62 of the general statutes is repealed and the
322 following is substituted in lieu thereof (*Effective October 1, 2010*):

323 In any proceeding seeking relief under the provisions of this chapter
324 and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, 46b-212 to [46b-
325 213v] 46b-213w, inclusive, as amended by this act, 47-14g, 51-348a and
326 52-362, as amended by this act, the court may order either spouse or, if
327 such proceeding concerns the custody, care, education, visitation or
328 support of a minor child, either parent to pay the reasonable attorney's
329 fees of the other in accordance with their respective financial abilities
330 and the criteria set forth in section 46b-82. If, in any proceeding under
331 this chapter and said sections, the court appoints an attorney for a
332 minor child, the court may order the father, mother or an intervening
333 party, individually or in any combination, to pay the reasonable fees of
334 the attorney or may order the payment of the attorney's fees in whole
335 or in part from the estate of the child. If the child is receiving or has
336 received state aid or care, the compensation of the attorney shall be
337 established and paid by the Commission on Child Protection.

338 Sec. 10. Subsection (c) of section 46b-86 of the general statutes is
339 repealed and the following is substituted in lieu thereof (*Effective*
340 *October 1, 2010*):

341 (c) When one of the parties, or a child of the parties, is receiving or
342 has received aid or care from the state under its aid to families with
343 dependent children [program] or temporary family assistance [for
344 needy families] program, HUSKY Plan, Part A, or [under its] foster
345 care program as provided in Title IV-E of the Social Security Act, or

346 [where] when one of the parties has applied for child support
347 enforcement services under Title IV-D of the Social Security Act as
348 provided in section 17b-179, as amended by this act, such motion to
349 modify shall be filed with the Family Support Magistrate Division for
350 determination in accordance with subsection (m) of section 46b-231, as
351 amended by this act.

352 Sec. 11. Section 46b-130 of the general statutes is repealed and the
353 following is substituted in lieu thereof (*Effective October 1, 2010*):

354 The parents of a minor child for whom care or support of any kind
355 has been provided under the provisions of this chapter shall be liable
356 to reimburse the state for such care or support to the same extent, and
357 under the same terms and conditions, as are the parents of recipients of
358 public assistance. Upon receipt of foster care maintenance payments
359 under Title IV-E of the Social Security Act by a minor child, the right of
360 support, [present,] past, present and future, from a parent of such child
361 shall, by this section, be assigned to the Commissioner of Children and
362 Families. On and after October 1, 2008, such assignment shall apply
363 only to the right of support that accrues during the period of
364 assistance, but shall not exceed the total amount of foster care
365 maintenance payments provided. Referral by the commissioner shall
366 promptly be made to the Bureau of Child Support Enforcement [Unit]
367 of the Department of Social Services for pursuit of support for such
368 minor child in accordance with the provisions of section 17b-179, as
369 amended by this act. Any child who reimburses the state under the
370 provisions of subsection (l) of section 46b-129 for any care or support
371 such child received shall have a right of action to recover such
372 payments from such child's parents.

373 Sec. 12. Subsection (a) of section 46b-168a of the general statutes is
374 repealed and the following is substituted in lieu thereof (*Effective*
375 *October 1, 2010*):

376 (a) In any IV-D support case, as defined in subdivision (13) of
377 subsection (b) of section 46b-231, as amended by this act, in which the

378 paternity of a child is at issue, or in any case in which a support
379 enforcement agency is providing services to a petitioner in a
380 proceeding under sections 46b-212 to [46b-213v] 46b-213w, inclusive,
381 as amended by this act, in which the paternity of a child is at issue, the
382 IV-D agency or the support enforcement agency shall require the child
383 and all other parties other than individuals who have good cause for
384 refusing to cooperate or who are subject to other exceptions to submit
385 to genetic tests which shall mean deoxyribonucleic acid tests, to be
386 performed by a hospital, accredited laboratory, qualified physician or
387 other qualified person designated by such agency, to determine
388 whether or not the putative father or husband is the father of the child,
389 upon the request of any such party, provided such request is
390 supported by a sworn statement by the party which either (1) alleges
391 paternity and sets forth facts establishing a reasonable possibility of
392 the requisite sexual contact between the parties, or (2) denies paternity
393 and sets forth facts establishing a reasonable possibility of the
394 nonexistence of sexual contact between the parties.

395 Sec. 13. Section 46b-170 of the general statutes is repealed and the
396 following is substituted in lieu thereof (*Effective October 1, 2010*):

397 No [such] petition under section 46b-160 shall be withdrawn except
398 upon approval of a judge or in IV-D support cases as defined in
399 subsection (b) of section 46b-231, as amended by this act, and petitions
400 brought under sections 46b-212 to [46b-213v] 46b-213w, inclusive, as
401 amended by this act, the family support magistrate assigned to the
402 judicial district in which the petition was brought. Any agreement of
403 settlement, before or after a petition has been brought, other than an
404 agreement made under the provisions of section 46b-172, as amended
405 by this act, between the mother and putative father shall take effect
406 only upon approval of the terms thereof by a judge of the Superior
407 Court, or family support magistrate assigned to the judicial district in
408 which the mother or the putative father resides and, in the case of
409 children supported by the state or the town, on the approval of the
410 Commissioner of Social Services or the Attorney General. When so
411 approved, such agreements shall be binding upon all persons

412 executing them, whether such person is a minor or an adult.

413 Sec. 14. Subdivision (3) of subsection (a) of section 46b-171 of the
414 general statutes is repealed and the following is substituted in lieu
415 thereof (*Effective October 1, 2010*):

416 (3) The court or family support magistrate may also make and
417 enforce orders for the payment by any person named herein of past-
418 due support for which the defendant is liable in accordance with the
419 provisions of section 17b-81, 17b-223, subsection (b) of section 17b-179,
420 as amended by this act, section 17a-90, 46b-129 or 46b-130, as amended
421 by this act, and, in IV-D cases, [and] order such person, provided such
422 person is not incapacitated, to participate in work activities which may
423 include, but shall not be limited to, job search, training, work
424 experience and participation in the job training and retraining program
425 established by the Labor Commissioner pursuant to section 31-3t. The
426 defendant's liability for past-due support under this subdivision shall
427 be limited to the three years next preceding the filing of the petition.

428 Sec. 15. Subdivision (1) of subsection (b) of section 46b-172 of the
429 general statutes is repealed and the following is substituted in lieu
430 thereof (*Effective October 1, 2010*):

431 (b) (1) An agreement to support the child by payment of a periodic
432 sum until the child attains the age of eighteen years or as otherwise
433 provided in this subsection, together with provisions for
434 reimbursement for past-due support based upon ability to pay in
435 accordance with the provisions of subsection (b) of section 17b-179, as
436 amended by this act, or section 17a-90, 17b-81, 17b-223, 46b-129 or 46b-
437 130, as amended by this act, and reasonable expense of prosecution of
438 the petition, when filed with and approved by a judge of the Superior
439 Court, or in IV-D support cases and matters brought under sections
440 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this act, a
441 family support magistrate at any time, shall have the same force and
442 effect, retroactively or prospectively in accordance with the terms of
443 [said] the agreement, as an order of support entered by the court, and

444 shall be enforceable and subject to modification in the same manner as
445 is provided by law for orders of the court in such cases. If such child is
446 unmarried and a full-time high school student, such support shall
447 continue according to the parents' respective abilities to pay, if such
448 child is in need of support, until such child completes the twelfth
449 grade or attains the age of nineteen, whichever occurs first.

450 Sec. 16. Subdivision (1) of subsection (c) of section 46b-172 of the
451 general statutes is repealed and the following is substituted in lieu
452 thereof (*Effective October 1, 2010*):

453 (c) (1) At any time after the signing of any acknowledgment of
454 paternity, upon the application of any interested party, the court or
455 any judge thereof or any family support magistrate in IV-D support
456 cases and in matters brought under sections 46b-212 to [46b-213v] 46b-
457 213w, inclusive, as amended by this act, shall cause a summons, signed
458 by such judge or family support magistrate, by the clerk of the court or
459 by a commissioner of the Superior Court, to be issued, requiring the
460 acknowledged father to appear in court at a time and place as
461 determined by the clerk but not more than ninety days after the
462 issuance of the summons, to show cause why the court or the family
463 support magistrate assigned to the judicial district in IV-D support
464 cases should not enter judgment for support of the child by payment of
465 a periodic sum until the child attains the age of eighteen years or as
466 otherwise provided in this subsection, together with provision for
467 reimbursement for past-due support based upon ability to pay in
468 accordance with the provisions of subsection (b) of section 17b-179, as
469 amended by this act, or section 17a-90, 17b-81, 17b-223, 46b-129 or 46b-
470 130, as amended by this act, a provision for health coverage of the
471 child as required by section 46b-215, as amended by this act, and
472 reasonable expense of the action under this subsection. If such child is
473 unmarried and a full-time high school student such support shall
474 continue according to the parents' respective abilities to pay, if such
475 child is in need of support, until such child completes the twelfth
476 grade or attains the age of nineteen, whichever occurs first.

477 Sec. 17. Section 46b-207 of the general statutes is repealed and the
478 following is substituted in lieu thereof (*Effective October 1, 2010*):

479 The court is authorized to establish and maintain Support
480 Enforcement Services and such offices thereof as it determines are
481 necessary for the proper handling of the administrative details incident
482 to proceedings under sections 46b-212 to [46b-213v] 46b-213w,
483 inclusive, as amended by this act, and may appoint such personnel as
484 necessary for the proper administration of the nonjudicial functions of
485 proceedings under sections 46b-212 to [46b-213v] 46b-213w, inclusive,
486 as amended by this act.

487 Sec. 18. Section 46b-208 of the general statutes is repealed and the
488 following is substituted in lieu thereof (*Effective October 1, 2010*):

489 The support service investigators of Support Enforcement Services
490 of the Superior Court shall, while acting within the scope of their
491 duties as such, pursuant to matters under sections 46b-212 to [46b-
492 213v] 46b-213w, inclusive, as amended by this act, have the powers of
493 service and of execution of summons and orders for withholding, and
494 the conduct of investigations.

495 Sec. 19. Subsection (a) of section 46b-213d of the general statutes is
496 repealed and the following is substituted in lieu thereof (*Effective*
497 *October 1, 2010*):

498 (a) The Bureau of Child Support Enforcement [Bureau] of the
499 Department of Social Services, or its designated collection agent, and
500 any tribunal shall disburse promptly any amounts received pursuant
501 to a support order, as directed by the order. The bureau, agent or
502 tribunal shall furnish to a requesting party or tribunal of another state
503 a certified statement by the custodian of the record of the amounts and
504 dates of all payments received.

505 Sec. 20. Section 46b-213w of the 2010 supplement to the general
506 statutes is repealed and the following is substituted in lieu thereof
507 (*Effective October 1, 2010*):

508 (a) An income withholding order issued in another state may be
509 sent by or on behalf of the obligee, or by the support enforcement
510 agency, to the person defined as the obligor's employer under section
511 52-362, as amended by this act, without first filing a petition or
512 comparable pleading or registering the order in the registry of support
513 orders of the Family Support Magistrate Division.

514 (b) Upon receipt of an income withholding order issued in another
515 state, the obligor's employer shall immediately provide to the obligor
516 (1) a copy of the order, and (2) a copy of the notice and claim form
517 provided by the Department of Social Services pursuant to subsection
518 (c) of this section.

519 (c) The Department of Social Services shall ~~[distribute]~~ make
520 available to all employers in this state a standard notice and claim
521 form, written in clear and simple language, which shall include:

522 (1) Notice that money will be withheld from the employee's wages
523 for child support and health insurance;

524 (2) Notice of the amount of disposable earnings that are exempt
525 from the income withholding order;

526 (3) Notice that the amount of the income withholding order may not
527 exceed the maximum permitted by federal law under Section 1673 of
528 Title 15 of the United States Code, together with a statement of the
529 obligor's right to claim any other applicable state or federal
530 exemptions;

531 (4) Notice of the right to object to the validity or enforcement of such
532 income withholding order in a court in this state and of the right to
533 seek modification of the underlying support order in the court of
534 continuing exclusive jurisdiction;

535 (5) Notice of the right to seek the assistance of the Bureau of Child
536 Support Enforcement of the Department of Social Services and the toll-
537 free telephone number at which the bureau can be contacted;

538 (6) A claim form which shall include (A) a list of the most common
539 defenses and exemptions to such income withholding order in a
540 manner which allows the obligor to check any of the defenses and
541 exemptions which apply; (B) a space where the obligor may briefly
542 explain the obligor's claim or defense; (C) a space where the obligor
543 may initiate a request for services to modify the support order and the
544 address of the Bureau of Child Support Enforcement of the
545 Department of Social Services to which such request may be sent; (D) a
546 space for the obligor to provide the obligor's address and the name of
547 the town in which the obligor principally conducts the obligor's work
548 for the employer; (E) a space for the obligor to sign the obligor's name;
549 (F) the address of [the Bureau of Child Support Enforcement of the
550 Department of Social Services] Support Enforcement Services to which
551 the claim form is to be sent in order to contest the validity or
552 enforcement of the income withholding order; [or to initiate a request
553 for modification;] and (G) space for the employer to state the date
554 upon which the form was actually delivered to the obligor.

555 (d) The employer shall treat an income withholding order issued in
556 another state which appears regular on its face as if it had been issued
557 by a tribunal of this state.

558 (e) Except as otherwise provided in subsections (f), [and] (g) and (l)
559 of this section, the employer shall withhold and distribute the funds as
560 directed in the withholding order by complying with terms of the
561 order which specify: (1) The duration and amount of periodic
562 payments of current child support, stated as a sum certain; (2) the
563 person designated to receive payments and the address to which the
564 payments are to be forwarded; (3) medical support, whether in the
565 form of periodic cash payment, stated as a sum certain, or ordering the
566 obligor to provide health insurance coverage for the child under a
567 policy available through the obligor's employment, subject to the
568 provisions of subsection (e) of section 38a-497a; (4) the amount of
569 periodic payments of fees and costs for a support enforcement agency,
570 the issuing tribunal and the obligee's attorney, stated as sums certain;
571 and (5) the amount of periodic payments of arrearages and interest on

572 arrearages, stated as sums certain.

573 (f) The employer shall comply with the law of this state for
574 withholding from income with respect to: (1) The prohibition against
575 an employer's fee for processing an income withholding order; (2) the
576 maximum amount permitted to be withheld from the obligor's income;
577 and (3) the time period within which the employer must implement
578 the withholding order and forward the child support payment.

579 (g) If an employer receives two or more income withholding orders
580 with respect to the earnings of the same obligor, the employer satisfies
581 the terms of such orders if the employer complies with the law of this
582 state to establish the priorities for withholding and allocating income
583 withheld for two or more child support obligees.

584 (h) An employer who complies with an income withholding order
585 issued in another state in accordance with this section shall be immune
586 from civil liability with regard to the employer's withholding of child
587 support from the obligor's income.

588 (i) An employer who wilfully fails to comply with an income
589 withholding order issued by another state and received for
590 enforcement is subject to the same penalties that may be imposed for
591 noncompliance with an order issued by a tribunal of this state.

592 (j) An obligor may contest the validity or enforcement of an income
593 withholding order issued in another state and received directly by an
594 employer in this state by: (1) Registering the order in accordance with
595 section 46b-213h and filing a contest to that order as provided in
596 section 46b-213l notwithstanding the obligor is the registering party;
597 (2) otherwise contesting the order in the same manner as if the order
598 had been issued by a tribunal of this state; or (3) mailing to [the Bureau
599 of Child Support Enforcement of the Department of Social Services]
600 Support Enforcement Services the claim form delivered to the obligor
601 pursuant to subsection (b) of this section, signed by the obligor and
602 containing his address and a copy of the income withholding order.
603 [The obligor shall also deliver a copy of such claim form to the

604 employer.]

605 (k) Upon receipt of a claim form contesting the validity or
606 enforcement of an income withholding order, [the Bureau of Child
607 Support Enforcement shall within seven days notify the employer of
608 the receipt of the claim form. The bureau] Support Enforcement
609 Services shall; [also give] (1) Give notice of the contest to [(1)] (A) the
610 support enforcement agency providing services to the obligee; [(2)] (B)
611 each employer that has directly received an income withholding order
612 relating to the obligor; [(3)] (C) the person designated to receive
613 payments in the income withholding order; and [(4)] (D) if the
614 obligee's address is known, the obligee; [. In addition, the bureau shall
615 immediately cause the income withholding order to be registered in
616 this state in accordance with section 46b-213h. The bureau shall also
617 immediately] (2) file the claim form and a copy of the income
618 withholding order on behalf of the obligor with [Support Enforcement
619 Services acting on behalf of] the Family Support Magistrate Division;
620 and (3) notify the person or agency that sent the income withholding
621 order to file not less than ten days before the scheduled hearing: (A)
622 Two copies, including one certified copy of the underlying support
623 order, including any modification of such order; and (B) a sworn
624 statement showing the amount of any arrearage together with the last
625 court determination of an arrearage and an accounting of the arrearage
626 since such determination.

627 (l) [The] Upon receipt of a claim form filed by Support Enforcement
628 Services on behalf of the obligor in accordance with subsection (k) of
629 this section, the clerk shall promptly enter the appearance of the
630 obligor, schedule a hearing, and give notice of the hearing to the
631 obligor, [the Bureau of Child Support Enforcement] Support
632 Enforcement Services, the party initiating the income withholding
633 order, and, if the obligee's address is known, the obligee. [The clerk
634 shall proceed in accordance with subsection (d) of section 52-362.] The
635 family support magistrate shall promptly hear and determine the
636 claim and enter its determination within forty-five days from the date
637 of the filing of the claim form. The family support magistrate shall use

638 the procedures in sections 46b-213a to 46b-213c, inclusive, to obtain
639 additional evidence and information as needed for a prompt
640 determination on the claim. If the person or agency that sent the
641 income withholding order fails to file the documents described in
642 subdivision (3) of subsection (k) of this section or fails to comply with a
643 reasonable request for information or documents made under section
644 46b-213b or 46b-213c, the family support magistrate may: (1) Continue
645 the hearing for a period of not more than an additional forty-five days
646 and direct Support Enforcement Services to provide such notice as
647 may be appropriate; (2) order a temporary or partial stay of income
648 withholding for a period not to exceed forty-five days; or (3) sustain
649 the obligor's objection to the validity or enforcement of the income
650 withholding order and enjoin the employer from complying with such
651 order. In addition to any notice given by the clerk, upon entry of the
652 decision of the family support magistrate on the claim, [the bureau]
653 Support Enforcement Services shall give notice of the decision to each
654 employer that has directly received an income withholding order
655 related to the obligor, the party initiating the income withholding
656 order, the obligor and, if the obligee's address is known, the obligee.

657 [(l)] (m) If the claim form requests services to modify the support
658 order, the Bureau of Child Support Enforcement shall assist the obligor
659 to file a motion for modification with the appropriate tribunal of the
660 state of continuing exclusive jurisdiction in accordance with the law of
661 that jurisdiction. The receipt of the request for modification shall
662 constitute a request for Title IV-D services, but the bureau may require
663 the making of a formal application. Such assistance shall include, but is
664 not limited to, providing the obligor with information about how such
665 a motion is filed, contacting the state of continuing exclusive
666 jurisdiction on behalf of the obligor to obtain appropriate forms, and
667 transmitting such forms and applicable information to the appropriate
668 tribunal in such state.

669 [(m)] (n) Venue for contested claims under this section shall be the
670 family support magistrate division of the superior court in the judicial
671 district in which the obligor resides, provided (1) if the obligor does

672 not reside in this state, venue shall be in the judicial district in which
673 the obligor principally conducts his work for the employer who is
674 subject to the income withholding order, and (2) if there is an existing
675 action concerning support of the child or children who are the subject
676 of the income withholding order, the claim shall be filed in that action.

677 Sec. 21. Subdivision (1) of subsection (a) of section 46b-215 of the
678 general statutes is repealed and the following is substituted in lieu
679 thereof (*Effective October 1, 2010*):

680 (a) (1) (A) The Superior Court or a family support magistrate may
681 make and enforce orders for payment of support against any person
682 who neglects or refuses to furnish necessary support to such person's
683 spouse or a child under the age of eighteen or as otherwise provided in
684 this subsection, according to such person's ability to furnish such
685 support, notwithstanding the provisions of section 46b-37. If such child
686 is unmarried and a full-time high school student, such support shall
687 continue according to the parents' respective abilities, if such child is in
688 need of support, until such child completes the twelfth grade or attains
689 the age of nineteen, whichever occurs first.

690 (B) In the case of a petition brought pursuant to subparagraph (A) of
691 this subdivision for the support of a child in a IV-D support case, as
692 defined in subdivision (13) of subsection (b) of section 46b-231, as
693 amended by this act, the application for services under subsection (h)
694 of section 17b-179, as amended by this act, or the granting of financial
695 or medical assistance shall establish a rebuttable presumption of
696 neglect and refusal to support. The court shall inform the parties what
697 evidence may rebut the presumption.

698 Sec. 22. Subparagraph (A) of subdivision (7) of subsection (a) of
699 section 46b-215 of the general statutes is repealed and the following is
700 substituted in lieu thereof (*Effective October 1, 2010*):

701 (7) (A) The court or family support magistrate may also determine,
702 order and enforce payment of any support due because of neglect or
703 refusal to furnish support for periods prior to the action. [In the case of

704 a child born out of wedlock whose parents have not intermarried, the
705 father's] A parent's liability for such support shall be limited to the
706 three years next preceding the filing of a petition or written agreement
707 to support pursuant to this section.

708 Sec. 23. Subparagraph (C) of subdivision (8) of subsection (a) of
709 section 46b-215 of the general statutes is repealed and the following is
710 substituted in lieu thereof (*Effective October 1, 2010*):

711 (C) The court [.] or any judge thereof, when said court or judge is
712 not sitting, or a family support magistrate, when said [court or] family
713 support magistrate is not sitting, may require the defendant or
714 defendants to become bound, with sufficient surety, to the state, town
715 or person bringing the complaint, to abide such judgment as may be
716 rendered on such complaint. Failure of the defendant or defendants to
717 obey any order made under this section [.] may be punished as
718 contempt of court and the costs of commitment of any person
719 imprisoned [therefor] for contempt shall be paid by the state as in
720 criminal cases. Except as otherwise provided, upon proof of the service
721 of the summons to appear in court or before a family support
722 magistrate at the time and place named for a hearing upon the failure
723 of the defendant or defendants to obey such court order or order of the
724 family support magistrate, the court or family support magistrate may
725 order a capias mittimus be issued, and directed to [some] a judicial
726 marshal pursuant to section 43 of this act or any other proper officer to
727 arrest such defendant or defendants and bring such defendant or
728 defendants before the Superior Court for the contempt hearing. When
729 any person is found in contempt under this section, the court or family
730 support magistrate may award to the petitioner a reasonable attorney's
731 fee and the fees of the officer serving the contempt citation, such sums
732 to be paid by the person found in contempt.

733 Sec. 24. Subsection (b) of section 46b-215 of the general statutes is
734 repealed and the following is substituted in lieu thereof (*Effective*
735 *October 1, 2010*):

736 (b) The Attorney General of the state of Connecticut and the
737 attorney representing a town [.] shall become a party for the interest of
738 the state of Connecticut and such town [.] in any proceedings for
739 support which concerns any person who is receiving or has received
740 public assistance or care from the state or any town. The Attorney
741 General shall represent the IV-D agency in [non-TANF] non-TFA IV-D
742 support cases if the IV-D agency determines that such representation is
743 required pursuant to guidelines issued by the Commissioner of Social
744 Services.

745 Sec. 25. Subsection (e) of section 46b-215 of the general statutes is
746 repealed and the following is substituted in lieu thereof (*Effective*
747 *October 1, 2010*):

748 (e) [Any] Except as provided in sections 46b-212 to 46b-213w,
749 inclusive, as amended by this act, any court or family support
750 magistrate, called upon to enforce a support order, shall insure that
751 such order is reasonable in light of the obligor's ability to pay. [Any]
752 Except as provided in sections 46b-212 to 46b-213w, inclusive, as
753 amended by this act, any support order entered pursuant to this
754 section, or any support order from another jurisdiction subject to
755 enforcement by the state of Connecticut, may be modified by motion of
756 the party seeking such modification upon a showing of a substantial
757 change in the circumstances of either party or upon a showing that
758 such support order substantially deviates from the child support
759 guidelines established pursuant to section 46b-215a, as amended by
760 this act, unless there was a specific finding on the record that the
761 application of the guidelines would be inequitable or inappropriate,
762 provided the court or family support magistrate finds that the obligor
763 or the obligee and any other interested party have received actual
764 notice of the pendency of such motion and of the time and place of the
765 hearing on such motion. There shall be a rebuttable presumption that
766 any deviation of less than fifteen per cent from the child support
767 guidelines is not substantial and any deviation of fifteen per cent or
768 more from the guidelines is substantial. Modification may be made of
769 such support order without regard to whether the order was issued

770 before, on or after May 9, 1991. No such support orders may be subject
771 to retroactive modification, except that the court or family support
772 magistrate may order modification with respect to any period during
773 which there is a pending motion for a modification of an existing
774 support order from the date of service of the notice of such pending
775 motion upon the opposing party pursuant to section 52-50. In any
776 hearing to modify any support order from another jurisdiction the
777 court or the family support magistrate shall conduct the proceedings in
778 accordance with [the procedure set forth in] sections 46b-213o to [46b-
779 213q] 46b-213r, inclusive.

780 Sec. 26. Section 46b-215a of the general statutes is repealed and the
781 following is substituted in lieu thereof (*Effective October 1, 2010*):

782 (a) The Commission for Child Support Guidelines is established to
783 [review the] issue child support and arrearage guidelines
784 [promulgated pursuant to section 8 of public act 85-548*, to establish
785 criteria for the establishment of guidelines] to ensure the
786 appropriateness of criteria for the establishment of child support
787 awards and to review and issue updated guidelines [not later than
788 October 1, 1993, and] every four years. [thereafter. Not later than
789 January 1, 1992, the commission shall also establish criteria and
790 promulgate guidelines to ensure that such] Such guidelines shall
791 ensure, subject to section 46b-215c, as amended by this act, that the
792 child support award consisting of current support, health care
793 coverage, child care contribution and orders of payment on any
794 arrearage and past due support shall be based on the income of both
795 parents and the obligor's ability to pay. Such guidelines shall also
796 ensure the appropriateness of periodic [payments of] payment orders
797 on arrearages when the obligor (1) is the child's legal guardian and
798 resides with the child, or (2) is not the child's legal guardian but has
799 resided with the child either for at least six months immediately
800 preceding the order of payment [of] on the arrearage or for at least six
801 months of the twelve months immediately preceding such order. In
802 such cases, [the commission shall consider exemptions similar to those
803 in the uniform contribution scale adopted pursuant to section 4a-12.

804 Updated arrearage guidelines shall be issued at the same time as the
805 child support guidelines] the guidelines shall require the payment
806 order to be no more than one dollar per week if the obligor's gross
807 income is less than or equal to two hundred fifty per cent of the federal
808 poverty guidelines for the obligor's household size or, if the obligor's
809 income is above that amount, no more than twenty per cent of the
810 imputed current support obligation.

811 (b) The commission shall consist of eleven members as follows: The
812 Chief Court Administrator or his designee, the Commissioner of Social
813 Services or his designee, the Attorney General or his designee, the
814 chairpersons and ranking members of the joint standing committee on
815 judiciary or their designees and a representative of the Connecticut Bar
816 Association [, a representative of legal services, a person who]
817 designated by the association, and three members appointed by the
818 Governor, one of whom represents legal services, one of whom
819 represents the financial concerns of child support obligors and [a
820 representative of] one of whom represents the Permanent Commission
821 on the Status of Women. [, all of whom shall be appointed by the
822 Governor.] The Commissioner of Social Services shall convene the
823 commission whenever a review is required to issue updated guidelines
824 pursuant to subsection (a) of this section. The chairperson of the
825 commission shall be elected by the members of the commission. A
826 vacancy on the commission at any time shall not invalidate any actions
827 taken by the commission during such vacancy, provided at least nine
828 members are serving at such time.

829 Sec. 27. Section 46b-215b of the general statutes is repealed and the
830 following is substituted in lieu thereof (*Effective October 1, 2010*):

831 (a) The child support and arrearage guidelines [established] issued
832 pursuant to section 46b-215a, as amended by this act, adopted as
833 regulations pursuant to section 46b-215c, as amended by this act, and
834 in effect on the date of the support determination shall be considered
835 in all determinations of child support award amounts, including any
836 current support, health care coverage, child care contribution and past-

837 due support amounts, and payment on arrearages and past-due
838 support within the state. In all such determinations, there shall be a
839 rebuttable presumption that the amount of such awards which
840 resulted from the application of such guidelines is the amount [of
841 support, including any past-due support, or payment on any arrearage
842 or past-due support] to be ordered. A specific finding on the record
843 that the application of the guidelines would be inequitable or
844 inappropriate in a particular case, as determined under the deviation
845 criteria established by the Commission for Child Support Guidelines
846 under section 46b-215a, as amended by this act, shall be required in
847 order to rebut the presumption in such case.

848 (b) In any determination pursuant to subsection (a) of this section,
849 when a party has been determined by the Social Security
850 Administration, or a state agency authorized to award disability
851 benefits, to qualify for disability benefits under the federal
852 Supplemental Security Income Program, the Social Security disability
853 program, the state supplement to the federal Supplemental Security
854 Income Program, or the state-administered general assistance
855 program, parental earning capacity shall not be a basis for deviating
856 from the presumptive support amount that results from the
857 application of the child support guidelines to such party's income.

858 (c) In any proceeding for the establishment or modification of a
859 child support award, the child support and arrearage guidelines shall
860 be considered in addition to and not in lieu of the criteria for such
861 awards established in sections 46b-84, 46b-86, as amended by this act,
862 46b-130, as amended by this act, 46b-171, as amended by this act, 46b-
863 172, as amended by this act, 46b-215, as amended by this act, 17b-179,
864 as amended by this act, and 17b-745, as amended by this act.

865 Sec. 28. Section 46b-215c of the general statutes is repealed and the
866 following is substituted in lieu thereof (*Effective October 1, 2010*):

867 (a) Notwithstanding the provisions of sections [46b-215] 46b-215a,
868 as amended by this act, and 46b-215b, as amended by this act, updated

869 child support and arrearage guidelines issued by the Commission for
870 Child Support Guidelines pursuant to section 46b-215a, as amended by
871 this act, shall be submitted by the commission to the standing
872 legislative regulation review committee and adopted as regulations in
873 accordance with the provisions of chapter 54.

874 (b) Nothing in this section shall affect the validity of a child support
875 order issued pursuant to any guidelines promulgated pursuant to
876 section 46b-215a, as amended by this act, prior to the approval of [any]
877 such guidelines pursuant to the provisions of this section.

878 Sec. 29. Subsection (b) of section 46b-231 of the general statutes is
879 repealed and the following is substituted in lieu thereof (*Effective*
880 *October 1, 2010*):

881 (b) For the purposes of this section:

882 (1) "Chief Family Support Magistrate" means the family support
883 magistrate designated by the Chief Court Administrator as provided
884 in subsection (g) of this section;

885 (2) "Child support enforcement services" means the services
886 provided by the IV-D agency or an agency under cooperative or
887 purchase of service agreement therewith pursuant to Title IV-D of the
888 Social Security Act, including, but not limited to, location;
889 establishment of paternity; establishment, modification and
890 enforcement of child and medical support orders; and the collection
891 and distribution of support payments;

892 (3) "Commissioner" means the Commissioner of Social Services or a
893 designee or authorized representative;

894 (4) "Bureau of Child Support Enforcement" means a division within
895 the Department of Social Services established pursuant to section
896 17b-179, as amended by this act;

897 (5) "Department" means the Department of Social Services or any
898 bureau, division or agency of the Department of Social Services;

899 (6) "Family Support Magistrate Division" means a division of the
900 Superior Court created by this section for the purpose of establishing
901 and enforcing child and spousal support in IV-D cases and in cases
902 brought pursuant to sections 46b-212 to [46b-213v] 46b-213w,
903 inclusive, as amended by this act, utilizing quasi-judicial proceedings;

904 (7) "Family support magistrate" means a person [.] appointed as
905 provided in subsection (f) of this section to establish and enforce child
906 and spousal support orders;

907 (8) "Foster care cases" [are] means cases in which children are
908 receiving foster care under part I of chapter 319a or part I of chapter
909 815t, but does not include cases in which children reside in detention
910 facilities, forestry camps, training schools or other facilities operated
911 primarily for the detention of children adjudicated as delinquent;

912 (9) "Law" [includes] means both [common and statute] statutory and
913 common law;

914 (10) "Obligee" means any person to whom a duty of support is
915 owed;

916 (11) "Obligor" means any person owing a duty of support;

917 (12) "IV-D agency" means the Bureau of Child Support Enforcement
918 within the Department of Social Services, [created by] established
919 pursuant to section 17b-179, as amended by this act, and authorized to
920 administer the child support program mandated by Title IV-D of the
921 Social Security Act;

922 (13) "IV-D support cases" [are those] means cases in which the IV-D
923 agency is providing child support enforcement services under Title IV-
924 D of the Social Security Act [, including all] pursuant to (A) an
925 application under subsection (h) of section 17b-179, as amended by this
926 act, or (B) referral of a (i) temporary family assistance case under
927 section 17b-112, which for the purposes of this section may be referred
928 to as "TFA", (ii) a Medicaid case under section 17b-261, or (iii) a foster

929 care [cases referred to the Bureau of Child Support Enforcement] case
930 under section 46b-130, as amended by this act; and

931 (14) "Support order" means a judgment, decree or order, whether
932 temporary, final or subject to modification, issued by a court or
933 another state's administrative agency of competent jurisdiction, for the
934 support and maintenance of a child, including a child who has attained
935 the age of majority under the law of the issuing state, or [a child and]
936 of the parent with whom the child is living, which provides for
937 monetary support, health care, arrearages or reimbursement, and
938 which may include related costs and fees, interest and penalties,
939 income withholding, attorneys' fees and other relief.

940 Sec. 30. Subsection (f) of section 46b-231 of the general statutes is
941 repealed and the following is substituted in lieu thereof (*Effective*
942 *October 1, 2010*):

943 (f) The Family Support Magistrate Division shall include nine family
944 support magistrates who shall be appointed by the Governor to serve
945 in that capacity for a term of three years. A family support magistrate
946 may be reappointed by the Governor upon completion of [his] each
947 term of office. [by the Governor.] To be eligible for appointment, a
948 family support magistrate must have engaged in the practice of law for
949 five years prior to [his] appointment and shall be experienced in the
950 field of family law. [He] The family support magistrate shall devote
951 full time to [his] the duties [as] of a family support magistrate and shall
952 not engage in the private practice of law. A family support magistrate
953 may be removed from office by the Governor for cause.

954 Sec. 31. Subsection (l) of section 46b-231 of the general statutes is
955 repealed and the following is substituted in lieu thereof (*Effective*
956 *October 1, 2010*):

957 (l) The judges of the Superior Court shall adopt rules of procedure
958 in accordance with the provisions of section 51-14 for the handling by
959 magistrates of IV-D support cases and in cases brought pursuant to
960 sections 46b-212 to [46b-213v] 46b-213w, inclusive, as amended by this

961 act. Such rules of procedure shall conform when applicable to rules
962 adopted for the Superior Court.

963 Sec. 32. Subdivisions (1) to (3), inclusive, of subsection (m) of section
964 46b-231 of the general statutes are repealed and the following is
965 substituted in lieu thereof (*Effective October 1, 2010*):

966 (1) A family support magistrate in IV-D support cases may compel
967 the attendance of witnesses or the obligor under a summons issued
968 pursuant to [sections] section 17b-745, as amended by this act, 46b-172,
969 as amended by this act, [and] or 46b-215, as amended by this act, a
970 subpoena issued pursuant to section 52-143, or a citation for failure to
971 obey an order of a family support magistrate or a judge of the Superior
972 Court. If a person is served with any such summons, subpoena or
973 citation issued by a family support magistrate or the assistant clerk of
974 the Family Support Magistrate Division and fails to appear, a family
975 support magistrate may issue a capias mittimus directed to a judicial
976 marshal pursuant to section 43 of this act or any other proper officer to
977 arrest the obligor or the witness and bring [him] the obligor or witness
978 before a family support magistrate. Whenever such a capias mittimus
979 is ordered, the family support magistrate shall establish a recognizance
980 to the state of Connecticut in the form of a bond of such character and
981 amount as to assure the appearance of the obligor at the next regular
982 session of the Family Support Magistrate Division in the judicial
983 district in which the matter is pending. If the obligor posts such a
984 bond, and thereafter fails to appear before the family support
985 magistrate at the time and place [he] the obligor is ordered to appear,
986 the family support magistrate may order the bond forfeited, and the
987 proceeds thereof distributed as required by Title IV-D of the Social
988 Security Act.

989 (2) (A) Family support magistrates shall hear and determine matters
990 involving child and spousal support in IV-D support cases including
991 petitions for support brought pursuant to sections 17b-81, 17b-179, as
992 amended by this act, 17b-745, as amended by this act, and 46b-215, as
993 amended by this act; applications for show cause orders in IV-D

994 support cases brought pursuant to subsection (b) of section 46b-172, as
995 amended by this act, and actions for interstate enforcement of child
996 and spousal support and paternity under sections 46b-212 to [46b-
997 213v] 46b-213w, inclusive, as amended by this act, and shall hear and
998 determine all motions for modifications of child and spousal support
999 in such cases.

1000 (B) In all IV-D support cases, family support magistrates shall have
1001 the authority to order any obligor who is subject to a plan for
1002 reimbursement of past-due support and is not incapacitated, to
1003 participate in work activities which may include, but shall not be
1004 limited to, job search, training, work experience and participation in
1005 the job training and retraining program established by the Labor
1006 Commissioner pursuant to section 31-3t.

1007 (C) A family support magistrate shall not modify an order for
1008 periodic payment on an arrearage due the state for state assistance
1009 which has been discontinued to increase such payments, unless the
1010 family support magistrate first determines that the state has made a
1011 reasonable effort to notify the current recipient of child support, at the
1012 most current address available to the IV-D agency, of the pendency of
1013 the motion to increase such periodic arrearage payments and of the
1014 time and place of the hearing on such motion. If such recipient
1015 appears, either personally or through a representative, at such hearing,
1016 the family support magistrate shall determine whether the order in
1017 effect for child support is reasonable in relation to the current financial
1018 circumstances of the parties, prior to modifying an order increasing
1019 such periodic arrearage payments.

1020 (3) Family support magistrates shall review and approve or
1021 [modify] disapprove all agreements for support in IV-D support cases
1022 filed with the Family Support Magistrate Division in accordance with
1023 sections 17b-179, as amended by this act, 17b-745, as amended by this
1024 act, 46b-172, as amended by this act, 46b-215, as amended by this act,
1025 and subsection (c) of section 53-304.

1026 Sec. 33. Subdivision (6) of subsection (m) of section 46b-231 of the
1027 general statutes is repealed and the following is substituted in lieu
1028 thereof (*Effective October 1, 2010*):

1029 (6) Agreements for support obtained in IV-D support cases shall be
1030 filed with the assistant clerk of the family support magistrate division
1031 for the judicial district where the mother or the father of the child
1032 resides, pursuant to subsection (b) of section 46b-172, as amended by
1033 this act, and shall become effective as an order upon filing with the
1034 clerk. Such support agreements shall be reviewed by a family support
1035 magistrate who shall approve or disapprove the agreement. If the
1036 support agreement filed with the clerk is disapproved by a family
1037 support magistrate, the reason for disapproval shall be stated in the
1038 record and such disapproval shall have a retroactive effect. Upon such
1039 disapproval, the clerk shall schedule a hearing to determine
1040 appropriate support amounts and notify all appearing parties of the
1041 hearing date.

1042 Sec. 34. Subsection (s) of section 46b-231 of the general statutes is
1043 repealed and the following is substituted in lieu thereof (*Effective*
1044 *October 1, 2010*):

1045 (s) Support enforcement officers of Support Enforcement Services of
1046 the Superior Court shall:

1047 (1) Supervise the payment of any child or spousal support order
1048 [made by a family support magistrate] in IV-D support cases and cases
1049 under sections 46b-212 to 46b-213w, inclusive, as amended by this act.
1050 Supervision of such orders is defined as the utilization of all
1051 procedures available by law to collect child or spousal support, or
1052 enforce medical support including (A) issuance and implementation of
1053 income withholdings ordered by the Superior Court or a family
1054 support magistrate pursuant to section 52-362, as amended by this act,
1055 (B) issuance of an order requiring any party to appear before a family
1056 support magistrate on an action to modify a support order pursuant to
1057 subdivision (4) of this subsection, (C) issuance of a capias mittimus

1058 directed to a proper officer to arrest an obligor or witness and bring
1059 such obligor or witness before a family support magistrate if such
1060 obligor or witness is served with a summons, subpoena, citation or
1061 order to appear issued by a family support magistrate, the assistant
1062 clerk of the Family Support Magistrate Division or a support
1063 enforcement officer and fails to appear, (D) if necessary, bringing an
1064 application for contempt to a family support magistrate and, in
1065 connection with such application, issuing an order requiring the
1066 obligor to appear before a family support magistrate to show cause
1067 why such obligor should not be held in contempt for failure to pay an
1068 order for child or spousal support entered by the Superior Court or a
1069 family support magistrate, and (E) issuance of a National Medical
1070 Support Notice in accordance with section 46b-88;

1071 (2) In [non-TANF] non-TFA cases, have the authority to bring
1072 petitions for support orders pursuant to section 46b-215, as amended
1073 by this act, file agreements for support with the assistant clerk of the
1074 Family Support Magistrate Division, and bring applications for show
1075 cause orders pursuant to section 46b-172, as amended by this act, and
1076 in IV-D support cases and cases under sections 46b-212 to 46b-213w,
1077 inclusive, as amended by this act, enforce foreign support orders
1078 registered with the Family Support Magistrate Division pursuant to
1079 sections 46b-213f to 46b-213i, inclusive, and file agreements for support
1080 with the assistant clerk of the Family Support Magistrate Division;

1081 (3) In connection with any order or agreement entered by, or filed
1082 with, the Family Support Magistrate Division, or any order entered by
1083 the Superior Court in a IV-D support case, upon order, investigate the
1084 financial situation of the parties and report findings to the family
1085 support magistrate regarding: (A) Any pending motion to modify such
1086 order or agreement; or (B) any request or application for modification
1087 of such order or agreement made by an obligee;

1088 (4) Review child support orders (A) in [non-TANF] non-TFA IV-D
1089 support cases (i) at the request of either parent or custodial party
1090 subject to a support order, or (ii) upon receipt of information

1091 indicating a substantial change in circumstances of any party to the
1092 support order, (B) in [TANF] TFA cases, at the request of the Bureau of
1093 Child Support Enforcement, or (C) as necessary to comply with federal
1094 requirements for the child support enforcement program mandated by
1095 Title IV-D of the Social Security Act, and initiate an action before a
1096 family support magistrate to modify such support order if it is
1097 determined upon such review that the order substantially deviates
1098 from the child support guidelines established pursuant to section 46b-
1099 215a, [or 46b-215b] as amended by this act. A requesting party under
1100 subparagraph (A)(i) or (B) of this subdivision shall have a right to such
1101 review every three years without proving a substantial change in
1102 circumstances, but more frequent reviews shall be made only if such
1103 requesting party demonstrates a substantial change in circumstances.
1104 There shall be a rebuttable presumption that any deviation of less than
1105 fifteen per cent from the child support guidelines is not substantial and
1106 any deviation of fifteen per cent or more from the guidelines is
1107 substantial. Modification may be made of such support order without
1108 regard to whether the order was issued before, on or after May 9, 1991.
1109 In determining whether to modify a child support order based on a
1110 substantial deviation from such child support guidelines,
1111 consideration shall be given to the division of real and personal
1112 property between the parties set forth in any final decree entered
1113 pursuant to chapter 815j and the benefits accruing to the child as the
1114 result of such division. No order for periodic payment of support may
1115 be subject to retroactive modification, except that the family support
1116 magistrate may order modification with respect to any period during
1117 which there is a pending motion for modification of a support order
1118 from the date of service of notice of such pending motion to the
1119 opposing party pursuant to section 52-50.

1120 Sec. 35. Subsection (t) of section 46b-231 of the general statutes is
1121 repealed and the following is substituted in lieu thereof (*Effective*
1122 *October 1, 2010*):

1123 (t) The Attorney General shall:

1124 (1) Represent the interest of the state in all actions for child or
1125 spousal support in all cases in which the state is furnishing or has
1126 furnished aid or care to one of the parties to the action or a child of one
1127 of the parties;

1128 (2) In interstate support enforcement under sections 46b-212 to [46b-
1129 213v] 46b-213w, inclusive, as amended by this act, provide necessary
1130 legal services on behalf of the support enforcement agency in
1131 providing services to a petitioner;

1132 (3) Represent the IV-D agency in providing support enforcement
1133 services in non-TANF IV-D support cases pursuant to sections 17b-179,
1134 as amended by this act, 17b-745, as amended by this act, and 46b-215,
1135 as amended by this act.

1136 Sec. 36. Subsection (f) of section 52-57 of the general statutes is
1137 repealed and the following is substituted in lieu thereof (*Effective*
1138 *October 1, 2010*):

1139 (f) When the other methods of service of process provided under
1140 this section or otherwise provided by law cannot be effected, in actions
1141 concerning the establishment, enforcement or modification of child
1142 support orders other than actions for dissolution of marriage,
1143 including, but not limited to, such actions under sections 17b-122, 17b-
1144 124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-
1145 197, inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-340
1146 to 17b-350, inclusive, 17b-689b, 17b-743 to 17b-747, inclusive, and 46b-
1147 212 to [46b-213v] 46b-213w, inclusive, as amended by this act, and
1148 chapters 815, 815p, 815t, 815y and 816, and actions to implement
1149 garnishments for support under section 52-362, as amended by this act,
1150 service of process may be made upon a party to the action by one of
1151 the following methods, provided proof of receipt of such process by
1152 such party is presented to the court in accordance with rules
1153 promulgated by the judges of the Superior Court:

1154 (1) By certified mail to a party to the action addressed to the
1155 employer of such party. Any service of process so sent shall include on

1156 the outside envelope the words "To be delivered to the employee in
1157 accordance with subsection (f) of section 52-57". The employer shall
1158 accept any such service of process sent by certified mail and promptly
1159 deliver such certified mail to the employee; or

1160 (2) When a party to an action under this subsection is employed by
1161 an employer with fifteen or more employees, by personal service upon
1162 an official of the employer designated as an agent to accept service of
1163 process in actions brought under this subsection. Every employer with
1164 fifteen or more employees doing business in this state shall designate
1165 an official to accept service of process for employees who are parties to
1166 such actions. The person so served shall promptly deliver such process
1167 to the employee.

1168 Sec. 37. Subsection (a) of section 52-251d of the general statutes is
1169 repealed and the following is substituted in lieu thereof (*Effective*
1170 *October 1, 2010*):

1171 (a) In any civil action to establish paternity or to establish, modify or
1172 enforce child support orders in [TANF] temporary family assistance
1173 cases pursuant to sections 17b-745, as amended by this act, 46b-86, as
1174 amended by this act, 46b-160, 46b-171, as amended by this act, 46b-172,
1175 as amended by this act, 46b-215, as amended by this act and 46b-231,
1176 as amended by this act, the court may allow the state, when it is the
1177 prevailing party, a reasonable attorney's fee.

1178 Sec. 38. Subsections (a) and (b) of section 52-362 of the general
1179 statutes are repealed and the following is substituted in lieu thereof
1180 (*Effective October 1, 2010*):

1181 (a) For the purposes of this section:

1182 (1) "Dependent" means a spouse, former spouse or child entitled to
1183 payments under a support order, provided Support Enforcement
1184 Services of the Superior Court or the state acting under an assignment
1185 of a dependent's support rights or under an application for child
1186 support enforcement services shall, through an officer of Support

1187 Enforcement Services or the Bureau of Child Support Enforcement
1188 within the Department of Social Services or an investigator of the
1189 Department of Administrative Services or the Attorney General, take
1190 any action which the dependent could take to enforce a support order;

1191 (2) "Disposable earnings" means that part of the earnings of an
1192 individual remaining after deduction from those earnings of amounts
1193 required to be withheld for the payment of federal, state and local
1194 income taxes, employment taxes, normal retirement contributions,
1195 union dues and initiation fees, and group life and health insurance
1196 premiums;

1197 (3) "Earnings" means any debt accruing to an obligor by reason of
1198 such obligor's personal services, including any compensation payable
1199 by an employer to an employee for such personal services whether
1200 denominated as wages, salary, commission, bonus or otherwise,
1201 including unemployment compensation if a purchase of service
1202 agreement between the Commissioner of Social Services and the Labor
1203 Commissioner is in effect pursuant to subsection (e) of section 17b-179;

1204 (4) "Employer" means any person, including the Labor
1205 Commissioner, who owes earnings to an obligor;

1206 (5) "Income" means any periodic form of payment due to an
1207 individual, regardless of source, including, but not limited to,
1208 disposable earnings, workers' compensation and disability benefits,
1209 payments pursuant to a pension or retirement program and interest;

1210 (6) "Issue" means: (A) Complete the withholding order form
1211 prescribed under subsection (q) of this section and serve such form on
1212 the employer or other payer of income, or (B) in the case of an income
1213 withholding order served electronically in accordance with subsection
1214 (h) of this section, transmit electronic data sufficient to implement the
1215 withholding to an employer that has agreed to receive electronic
1216 transmission of income withholding orders and notices;

1217 ~~[(6)]~~ (7) "Obligor" means a person required to make payments under

1218 a support order;

1219 [(7)] (8) "Support order" means a court order, or order of a family
1220 support magistrate including an agreement approved by a court or a
1221 family support magistrate, that requires the payment to a dependent of
1222 current support, cash medical support, a specific dollar amount of
1223 child care costs or arrearage payments;

1224 [(8)] (9) "Unemployment compensation" means any compensation
1225 payable under chapter 567, including amounts payable by the
1226 administrator of the unemployment compensation law pursuant to an
1227 agreement under any federal law providing for compensation,
1228 assistance or allowances with respect to unemployment.

1229 (b) The Superior Court and any family support magistrate shall
1230 [issue] enter an order for withholding pursuant to this section against
1231 the income of an obligor to enforce a support order when the support
1232 order is entered or modified or when the obligor is before the court in
1233 an enforcement proceeding. The court shall order the withholding to
1234 be effective immediately or may, for cause or pursuant to an
1235 agreement by the parties, order a contingent withholding to be
1236 effective only on accrual of a delinquency in an amount greater than or
1237 equal to thirty days' obligation. Any finding that there is cause not to
1238 order withholding to be effective immediately shall be based on at
1239 least (1) a written determination that, and explanation by the court or
1240 family support magistrate of why, implementing immediate income
1241 withholding would not be in the best interests of the child, and (2)
1242 proof of timely payment of previously ordered support in cases
1243 involving the modification of such support. Before the court or family
1244 support magistrate [issues] enters an order for withholding which is
1245 effective immediately against an obligor who is before the court or a
1246 family support magistrate, it shall inform the obligor of the minimum
1247 amount of income which is exempt from withholding under state and
1248 federal law, of such obligor's right to claim any applicable state or
1249 federal exemptions with respect thereto and of such obligor's right to
1250 offer any evidence as to why a withholding order effective

1251 immediately should not [issue] enter. If the court or family support
1252 magistrate [issues] enters an order for withholding to be effective
1253 immediately against a nonappearing obligor, notice shall be served
1254 subsequently upon the obligor in accordance with section 52-57, as
1255 amended by this act, or sent by certified mail, return receipt requested,
1256 to the obligor's last known address, informing such obligor: (A) That a
1257 support order has been [issued] entered to be enforced by an income
1258 withholding order, (B) that an income withholding order has been
1259 [issued] entered effective immediately as part of the support order, (C)
1260 of the minimum amount of income exempt from withholding under
1261 state and federal law and of such obligor's right at the hearing on the
1262 support order to claim any other applicable state or federal exemptions
1263 with respect thereto, (D) of such obligor's right to a hearing, upon
1264 motion to the court, to offer any evidence as to why the withholding
1265 order effective immediately should not continue in effect, (E) of the
1266 amount of income received by such obligor which formed the basis for
1267 the support order against such obligor, and (F) of such obligor's right
1268 to move to modify the support order if such obligor's income has
1269 changed substantially or if the support order substantially deviates
1270 from the child support guidelines established pursuant to section
1271 46b-215a, as amended by this act.

1272 Sec. 39. Subsection (h) of section 52-362 of the general statutes is
1273 repealed and the following is substituted in lieu thereof (*Effective*
1274 *October 1, 2010*):

1275 (h) Service of any process under this section, including any notice,
1276 may be made in accordance with section 52-57, as amended by this act,
1277 or by certified mail, return receipt requested. If service is made on
1278 behalf of the state, it may be made by an authorized employee of
1279 Support Enforcement Services, [or] by an investigator or other officer
1280 of the Bureau of Child Support Enforcement within the Department of
1281 Social Services, [or] by an investigator of the Department of
1282 Administrative Services or by the Attorney General. Service of income
1283 withholding orders by Support Enforcement Services or by an
1284 investigator or other officer of said bureau upon an employer under

1285 this section may be made in accordance with section 52-57, as
1286 amended by this act, by certified mail, return receipt requested, [or] by
1287 first class mail or electronically, provided the employer agrees to
1288 accept service made electronically.

1289 Sec. 40. Subsection (n) of section 52-362 of the general statutes is
1290 repealed and the following is substituted in lieu thereof (*Effective*
1291 *October 1, 2010*):

1292 (n) When a support order is issued in another state and the obligor
1293 has income subject to withholding derived in this state, such income
1294 shall be subject to withholding in accordance with the provisions of
1295 this section, upon the registration of the support order in accordance
1296 with sections 46b-213g to 46b-213j, inclusive. Notice of rights to the
1297 obligor and the obligor's right to contest such order are governed by
1298 sections 46b-213k to [46b-213m] 46b-213n, inclusive.

1299 Sec. 41. Subsections (d) and (e) of section 52-362f of the general
1300 statutes are repealed and the following is substituted in lieu thereof
1301 (*Effective October 1, 2010*):

1302 (d) When a support order is issued in another jurisdiction and the
1303 obligor has income subject to withholding in accordance with the
1304 provisions of section 52-362, as amended by this act, Support
1305 Enforcement Services shall, upon receiving a support order of another
1306 jurisdiction with the documentation specified in this subsection from
1307 an agency of another jurisdiction, or from an obligee, an obligor or an
1308 attorney for either the obligee or obligor, file such support order and
1309 documents in the registry maintained by Support Enforcement
1310 Services. Documentation required for the entry of a support order for
1311 another jurisdiction for the purpose of withholding of income shall
1312 comply with the requirements of section [46b-213i] 46b-213h. If the
1313 documentation received by Support Enforcement Services does not
1314 conform to those requirements, Support Enforcement Services shall
1315 remedy any defect which it can without the assistance of the obligee or
1316 requesting agency or person. If Support Enforcement Services is

1317 unable to make such corrections, the requesting agency or person shall
1318 immediately be notified of the necessary additions or corrections.
1319 Support Enforcement Services shall accept the documentation required
1320 by this subsection as long as the substantive requirements of this
1321 subsection are met.

1322 (e) A support order registered under subsection (d) of this section
1323 shall be enforceable by withholding in the manner and with the effect
1324 as set forth for registered support orders of another jurisdiction
1325 pursuant to section 52-362, as amended by this act. A support order
1326 from another jurisdiction filed under this section shall not be subject to
1327 modification by a court or other agency of this state except as provided
1328 in sections 46b-213o to [46b-213q] 46b-213r, inclusive. Entry of the
1329 order shall not confer jurisdiction on any court of this state for any
1330 purpose other than withholding of income.

1331 Sec. 42. Section 52-362i of the general statutes is repealed and the
1332 following is substituted in lieu thereof (*Effective October 1, 2010*):

1333 If the court or family support magistrate finds that (1) an obligor is
1334 delinquent on payment of child support, and (2) future support
1335 payments are in jeopardy, or (3) the obligor has exhibited or expressed
1336 an intention not to pay any such support, the court or family support
1337 magistrate may order the obligor to provide a cash deposit not to
1338 exceed the amount of four times the current monthly support and
1339 arrearage obligation, to be held in escrow by the [Connecticut] Bureau
1340 of Child Support Enforcement [Bureau] or Support Enforcement
1341 Services. Any funds from such cash deposit may be disbursed by the
1342 [Connecticut] Bureau of Child Support Enforcement [Bureau] or
1343 Support Enforcement Services to the custodial parent upon a
1344 determination by said [support enforcement] bureau or Support
1345 Enforcement Services that the obligor has failed to pay the full amount
1346 of the monthly support obligation. Payment shall be in an amount that,
1347 when combined with the obligor's payment, would not exceed the
1348 monthly support obligation. Payment from such cash deposit shall not
1349 preclude a finding of delinquency during the period of time in which

1350 the obligor failed to pay current support.

1351 Sec. 43. (NEW) (*Effective October 1, 2010*) Any judicial marshal may
1352 serve a capias mittimus on any person who is in the custody of the
1353 marshal or is in a courthouse where the marshal provides courthouse
1354 security if such capias mittimus was issued in a child support matter
1355 by (1) a court or a family support magistrate pursuant to subdivision
1356 (8) of subsection (a) of section 17b-745 of the general statutes, as
1357 amended by this act, or subparagraph (C) of subdivision (8) of
1358 subsection (a) of section 46b-215 of the general statutes, as amended by
1359 this act; or (2) a family support magistrate pursuant to subdivision (1)
1360 of subsection (m) of section 46b-231 of the general statutes, as amended
1361 by this act.

1362 Sec. 44. Section 17b-77 of the 2010 supplement to the general statutes
1363 is repealed and the following is substituted in lieu thereof (*Effective*
1364 *October 1, 2010*):

1365 Application for aid under the state supplement program, medical
1366 assistance program, temporary family assistance program and
1367 supplemental nutrition assistance program, shall be made to the
1368 Commissioner of Social Services. The name and address of each such
1369 applicant shall be recorded with the commissioner. Such application,
1370 in the case of temporary family assistance, shall be made by the
1371 supervising relative, his authorized representative, or, in the case of an
1372 individual who is incapacitated, someone acting responsibly for him
1373 and shall contain the name and the exact residence of such applicant,
1374 the name, place and date of birth of each dependent child, the Social
1375 Security number of the supervising relative and of each dependent
1376 child, and such other information as is required by the commissioner.
1377 If such supervising relative or any such child does not have a Social
1378 Security number, the commissioner shall assist in obtaining a Social
1379 Security number for each such person seeking public assistance and
1380 during the time required to obtain such Social Security numbers the
1381 supervising relative and children shall not be precluded from
1382 eligibility under this section. By such application, the applicant shall

1383 assign to the commissioner the right of support, [present,] past, present
1384 and future, due all persons seeking assistance and shall assist the
1385 commissioner in pursuing support obligations due from the
1386 noncustodial parent. On and after October 1, 2008, such assignment
1387 under the temporary family assistance program shall apply only to
1388 such support rights as accrue during the period of assistance, not to
1389 exceed the total amount of assistance provided to the family under
1390 said program. Notice of such assignment shall be conspicuously placed
1391 on said application and shall be explained to the applicant at the time
1392 of application. All information required to be provided to the
1393 commissioner as a condition of such eligibility under federal law shall
1394 be so provided by the applicant, provided, no person shall be
1395 determined to be ineligible if the applicant has good cause for the
1396 refusal to provide information concerning the noncustodial parent or if
1397 the provision of such information would be against the best interests of
1398 the dependent child or children, or any of them. The Commissioner of
1399 Social Services shall adopt by regulation, in accordance with chapter
1400 54, standards as to good cause and best interests of the child. Any
1401 person aggrieved by a decision of the commissioner as to the
1402 determination of good cause or the best interests of such child or
1403 children may request a fair hearing in accordance with the provisions
1404 of sections 17b-60 and 17b-61. All statements made by the applicant
1405 concerning income, resources and any other matters pertaining to
1406 eligibility shall be certified to by the applicant as true and correct
1407 under penalty of false statement, and for any such certified statement
1408 which is untrue or incorrect such applicant shall be subject to the
1409 penalties provided for false statement under section 17b-97.

1410 Sec. 45. Subsection (b) of section 14-45 of the 2010 supplement to the
1411 general statutes is repealed and the following is substituted in lieu
1412 thereof (*Effective October 1, 2010*):

1413 (b) In IV-D support cases, as defined in subdivision [(14)] (13) of
1414 subsection (b) of section 46b-231, as amended by this act, upon written
1415 notification by the Department of Social Services that the address listed
1416 for the holder of a motor vehicle operator's license, or the holder of an

1417 identity card is incorrect, the Commissioner of Motor Vehicles shall
1418 notify the operator that the correct address must be furnished to the
1419 department. The commissioner shall refuse to issue or renew a motor
1420 vehicle operator's license if the address furnished by the applicant is
1421 determined to be incorrect. The department shall notify the
1422 Department of Social Services of the current address of holders of
1423 motor vehicle operator's licenses when a change of address is reported.

1424 Sec. 46. Subsection (a) of section 17b-179a of the general statutes is
1425 repealed and the following is substituted in lieu thereof (*Effective*
1426 *October 1, 2010*):

1427 (a) On a quarterly basis, in IV-D support cases, as defined in
1428 subdivision [(14)] (13) of subsection (b) of section 46b-231, as amended
1429 by this act, the Department of Social Services shall compile a list of
1430 child support obligors who have no visible earnings and shall transmit
1431 such list to the Department of Revenue Services. The Commissioner of
1432 Revenue Services shall promptly identify any such individuals who
1433 have any reported assets or income and transmit to the Department of
1434 Social Services the name, address and Social Security number of such
1435 individuals together with information on reported assets or income
1436 available for such individuals.

1437 Sec. 47. Subsection (c) of section 46b-84 of the general statutes is
1438 repealed and the following is substituted in lieu thereof (*Effective from*
1439 *passage*):

1440 (c) The court may make appropriate orders of support of any child
1441 with mental retardation, as defined in section 1-1g, or a mental
1442 disability, [or physical disability] as defined in subdivision (20) of
1443 section 46a-51, or who is physically disabled, as defined in subdivision
1444 (15) of section 46a-51, who resides with a parent and is principally
1445 dependent upon such parent for maintenance until such child attains
1446 the age of twenty-one. The child support guidelines established
1447 pursuant to section 46b-215a shall not apply to orders entered under
1448 this subsection. The provisions of this subsection shall apply only in

1449 cases where the decree of dissolution of marriage, legal separation or
 1450 annulment is entered on or after October 1, 1997, or where the initial
 1451 support orders in actions not claiming any such decree are entered on
 1452 or after October 1, 1997."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	17b-179(b) to (i)
Sec. 2	<i>October 1, 2010</i>	17b-179(l)
Sec. 3	<i>October 1, 2010</i>	17b-745(a)(5)(A) and (B)
Sec. 4	<i>October 1, 2010</i>	17b-745(a)(8)
Sec. 5	<i>October 1, 2010</i>	17b-745(b)
Sec. 6	<i>October 1, 2010</i>	19a-42(d)
Sec. 7	<i>October 1, 2010</i>	19a-42a
Sec. 8	<i>October 1, 2010</i>	46b-56c(b)(4)
Sec. 9	<i>October 1, 2010</i>	46b-62
Sec. 10	<i>October 1, 2010</i>	46b-86(c)
Sec. 11	<i>October 1, 2010</i>	46b-130
Sec. 12	<i>October 1, 2010</i>	46b-168a(a)
Sec. 13	<i>October 1, 2010</i>	46b-170
Sec. 14	<i>October 1, 2010</i>	46b-171(a)(3)
Sec. 15	<i>October 1, 2010</i>	46b-172(b)(1)
Sec. 16	<i>October 1, 2010</i>	46b-172(c)(1)
Sec. 17	<i>October 1, 2010</i>	46b-207
Sec. 18	<i>October 1, 2010</i>	46b-208
Sec. 19	<i>October 1, 2010</i>	46b-213d(a)
Sec. 20	<i>October 1, 2010</i>	46b-213w
Sec. 21	<i>October 1, 2010</i>	46b-215(a)(1)
Sec. 22	<i>October 1, 2010</i>	46b-215(a)(7)(A)
Sec. 23	<i>October 1, 2010</i>	46b-215(a)(8)(C)
Sec. 24	<i>October 1, 2010</i>	46b-215(b)
Sec. 25	<i>October 1, 2010</i>	46b-215(e)
Sec. 26	<i>October 1, 2010</i>	46b-215a
Sec. 27	<i>October 1, 2010</i>	46b-215b
Sec. 28	<i>October 1, 2010</i>	46b-215c
Sec. 29	<i>October 1, 2010</i>	46b-231(b)
Sec. 30	<i>October 1, 2010</i>	46b-231(f)
Sec. 31	<i>October 1, 2010</i>	46b-231(l)
Sec. 32	<i>October 1, 2010</i>	46b-231(m)(1) to (3)

Sec. 33	<i>October 1, 2010</i>	46b-231(m)(6)
Sec. 34	<i>October 1, 2010</i>	46b-231(s)
Sec. 35	<i>October 1, 2010</i>	46b-231(t)
Sec. 36	<i>October 1, 2010</i>	52-57(f)
Sec. 37	<i>October 1, 2010</i>	52-251d(a)
Sec. 38	<i>October 1, 2010</i>	52-362(a) and (b)
Sec. 39	<i>October 1, 2010</i>	52-362(h)
Sec. 40	<i>October 1, 2010</i>	52-362(n)
Sec. 41	<i>October 1, 2010</i>	52-362f(d) and (e)
Sec. 42	<i>October 1, 2010</i>	52-362i
Sec. 43	<i>October 1, 2010</i>	New section
Sec. 44	<i>October 1, 2010</i>	17b-77
Sec. 45	<i>October 1, 2010</i>	14-45(b)
Sec. 46	<i>October 1, 2010</i>	17b-179a(a)
Sec. 47	<i>from passage</i>	46b-84(c)